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EXAMINER

CHOJNACKI, MELLISSA M

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/816,887	Applicant(s) PUGH, WILLIAM A.	
	Examiner MELLISSA M. CHOJNACKI	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-12 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-12 and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications filed on November 3, 2008, claims 3-4, 13-14, and 21-38 are cancelled, claims 1, 5-6, 11, and 15-16 are amended, and no new claims have been added. Therefore, claims 1-2, 5-12, and 15-20 are still presently pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21, 23 and 25-38 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Shaughnessy (U.S. Patent No. 7,219,302).

As to claim 1, O'Shaughnessy teaches a method comprising:

Initializing, by a computing device, a file to store the web based application, including creation of a root directory within the file (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, where “folder structure” is read on “directory”; column 4, lines 32-48);

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creating, by a computing device, data directories under said root directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”) and

initializing a first plurality of storage data objects under the data directories for structures of the web based application, selected from the group consisting of data tables, schemas of data tables, user lists, structural descriptions, and control structures (See Figs. 4-11; abstract; column 2, lines 38-49; column 5, lines 55-60);

initializing, by the computing device, a first of said first plurality of storage data objects under said application level data directory to store a structural description describing the structures, as well as file system files of the web based application (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59); and

copying and storing, by a computing device, the structures structural description, and file system files into the first plurality of storage data objects (See abstract; Fig. 4 and Fig. 5; column 6, lines 14-32; column 12, lines 18-53).

As to claim 2, O’Shaughnessy teaches wherein the initializing of a file to store the web-based application comprises initializing a compressible file (See column 5, lines 21-30; column 14, lines 15-34).

As to claims 3 and 13, O’Shaughnessy teaches wherein the creating of data directories under the root directory (See Fig. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”) and initializing

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a first plurality of storage data objects under the data directories comprises creating an application level data directory under the root directory (See Fig. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”); wherein the programming instructions, when executed, operate the apparatus to create an application level data directory under the root directory to create data directories under the root directory (See Fig. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”) and initialize a first plurality of storage data objects under the data directories (See Fig. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”).

As to claims 4 and 14, O’Shaughnessy teaches wherein the creating of data directories under the root directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41) and initializing a first plurality of storage data objects under the data directories (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41) further comprises:

initializing a first of the first plurality of storage data objects under the application level data directory to store a structural description describing the structures as well as files of a file system of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53) and

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copying and storing the structure description in the first of the first plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53);

wherein the programming instructions, when executed, operate the apparatus to:

initialize a first of the first plurality of storage data objects under the application level data directory to store a structural description describing the structures and files of a file system of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53), and

copy and store the structure description in the first of the first plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claims 5 and 15, O'Shaughnessy teaches wherein the copying and storing of the structures into the first plurality of storage data objects comprises:

initializing a second of the first plurality of storage data objects under the application level data directory to store a user description describing users of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53); and

copying and storing the user description in the second of the first plurality of storage data objects (See abstract; Fig. 4 and Fig. 5; column 6, lines 14-32; column 12, lines 18-53);

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wherein the programming instructions, when executed, operate the apparatus to initialize a second of the first plurality of storage data objects under the application level data directory to store a user description describing users of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53), and to copy and store the user description in the second of the first plurality of storage data objects (See abstract; Fig. 4 and Fig. 5; column 6, lines 14-32; column 12, lines 18-53).

As to claim 6 O'Shaughnessy teaches wherein the creating of data directories under the root directory and initializing a first plurality of storage data objects under the data directories further comprises creating a plurality of data table directories under the application level data directory (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claim 7, O'Shaughnessy teaches wherein the creating of data directories under the root directory and initializing a first plurality of storage data objects under the data directories further comprises:

initializing a first subset of the first plurality of storage data objects under the data table directory to store data table schemas of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53); and initializing a second subset of the first plurality of storage data objects under the data table directory to data tables of the web based

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application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claims 8 and 18, O'Shaughnessy teaches wherein the copying and storing of non-file system structures into the first plurality of storage data objects comprises copying and storing data table schemas and data tables of the web based application into corresponding pairs of the first and second subset of the first plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53);

wherein the programming instructions, when executed, operate the apparatus to copy and store data table schemas and data tables of the web based application into corresponding pairs of the first and second subset of the first plurality of storage data objects to copy and store non-file system structures into the first plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claims 9 and 19, O'Shaughnessy teaches wherein the method further comprises copying and storing files of the web based application that are part of a file system into the file for storing the web based application as second plurality of storage data objects under the root directory (See abstract; Fig. 4 and Fig. 5; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53); wherein the programming instructions, when executed, operate the apparatus to

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copy and store files of the web based application that are part of a file system into the file for storing the web based application as second plurality of storage data objects under the root directory (See abstract; Fig. 4 and Fig. 5; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 6, lines 14-32; column 12, lines 18-53).

As to claim 10, O'Shaughnessy teaches wherein the copying and storing of files of the web based application that are part of a file system into the file for storing the web based application as second plurality of storage data objects under the root directory comprises pre-processing access control lists into a self-describing format before storing the access control lists into selected ones of the second plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 5, lines 55-60).

As to claim 11, O'Shaughnessy teaches an apparatus comprising:
storage medium having stored therein programming instructions (See abstract),
when executed, operate the apparatus to:

initialize a file to store the web based application, including creation of a root directory within the file (See abstract; Fig. 4; column 1, lines 30-58; column 8, lines 37-44, where "folder structure" is read on "directory"; column 4, lines 32-48);

create data directories under the root directory and initializing a first plurality of storage data objects under the data directories for structures of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3,

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lines 1-41, where “directories” is read on “folders”) selected from the group consisting of data tables, schemas of data tables, user lists, structural descriptions, and control structures (See Figs. 4-11; abstract; column 2, lines 38-49; column 5, lines 55-60); initializing, by the computing device, a first of said first plurality of storage data objects under said application level data directory to store a structural description describing the structures, as well as file system files of the web based application (See column 1, lines 59-67; column 2, lines 1-15, lines 38-59); and

copying and storing, by a computing device, the structures structural description, a processor coupled to the storage medium to execute the programming instructions (See abstract; Fig. 4 and Fig. 5; column 6, lines 14-32; column 12, lines 18-53).

As to claim 12, O'Shaughnessy teaches wherein the programming instructions, when executed, operate the apparatus to initialize a compressible file to store the web-based application (See column 5, lines 21-30; column 14, lines 15-34).

As to claim 16, O'Shaughnessy teaches wherein the programming instructions, when executed, operate the apparatus to create a plurality of data table directories under the application level data directory to create data directories under the root directory and initialize a first plurality of storage data objects under the data directories (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41, where “directories” is read on “folders”).

As to claim 17, O'Shaughnessy teaches wherein the programming instructions, when executed, operate the apparatus to:

initialize a first subset of the first plurality of storage data objects under the data table directory to store data table schemas of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41), and initialize a second subset of the first plurality of storage data objects under the data table directory to data tables of the web based application (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41).

As to claim 20, O'Shaughnessy teaches wherein the programming instructions, when executed, operate the apparatus to pre-process access control lists into a self describing format before storing the access control lists into selected ones of the second plurality of storage data objects (See Figs. 4-11; column 1, lines 30-58; column 2, lines 38-67; column 3, lines 1-41; column 5, lines 55-60).

Response to Arguments

4. Applicant's arguments filed on 07-October -2008, with respect to the rejected claims 1-30 have been fully considered but they are not found to be persuasive: In response to applicants' arguments regarding "The Prior Art does not teach the claimed application level data directory and objects therein," the arguments have been fully considered but are not found to be persuasive, because O'Shaughnessy discloses computer applications, software or programs (application level data directory) that use

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the folder structure (directory) to store their folder structures (See column 1, lines 59-67; column 2, lines 1-59; column 3, lines 23-41).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is (571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

February 13, 2009
Mmc

/Charles Rones/

Supervisory Patent Examiner, Art Unit 2164